

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:09cr544
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	ORDER
JOSEPH GALLUCCI,)	
)	
)	
DEFENDANT.)	

This matter is before the Court upon Magistrate Judge Nancy A. Vecchiarelli's Report and Recommendation that the Court ACCEPT Defendant Joseph Gallucci's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Doc. No. 10.)

On December 22, 2009, the government filed an Information against Defendant. (Doc. No. 1.) On December 28, 2009, Judge Kathleen M. O'Malley issued an order assigning this case to Magistrate Judge Vecchiarelli for the purpose of receiving Defendant's guilty plea. (Doc. No. 4.)

On January 8, 2010, a hearing was held in which Defendant entered a plea of guilty to the Information, charging him with conspiracy to commit bribery concerning programs receiving federal funds, 18 U.S.C. Section 666(a)(1)(B) and (a)(2), in violation of 18 U.S.C. Section 371. Magistrate Judge Vecchiarelli received Defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the plea and enter a finding of guilty. (Doc. No. 4.)

This case was previously assigned to the docket of the Honorable Kathleen O'Malley. This matter was transferred to the docket of the undersigned on January 21, 2011, after Judge O'Malley was appointed to the Federal Circuit Court of Appeals.

Neither party objected to the Magistrate Judge's R&R in the 14 days after it was issued.

Upon *de novo* review of the record, the Magistrate Judge's R&R is ADOPTED. Specifically, the Court finds as follows: that the defendant is competent to enter a plea, that he understands his constitutional rights, that he is aware of the consequences of entering a plea, and that there is an adequate factual basis for the plea. The Court further finds that the plea was entered knowingly, intelligently, and voluntarily. Accordingly, the Defendant's plea of guilty is APPROVED.

Therefore, the Defendant is adjudged guilty as charged in the Information in violation of 18 U.S.C. Section 371. The sentencing date has been continued and will be set at a later date.

IT IS SO ORDERED.

Dated: September 12, 2011



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE